

REMARKS

Claims 1 and 15 have been amended to clarify what Applicant regards as the invention. No new matter has been added.

I. Claim rejection under 35 U.S.C. § 102(e)

Claims 1-4, 6, 14-18, 20, and 28 stand rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Nos. 6,605,101 (Schaefer). Applicant respectfully notes that in order to sustain a rejection under §102, each element in the rejected claim must be found, either expressly or inherently, in the cited reference.

Claims 1-13 and 15-27

Amended claim 1 recites a vaso-occlusive device that comprises a member having a length, at least a portion of the length has a planar serpentine shape when the member is in a relaxed condition, wherein at least a portion of the serpentine shape comprises a curvilinear segment having a *non-uniform curvature*. Claim 15 recites a similar vaso-occlusive device. Applicant respectfully submits that Schaefer does not disclose or suggest such vaso-occlusive device. Rather, Schaefer discloses a vaso-occlusive device having a plurality of circular loops that have uniform curvatures (column 5, lines 13-15, and figures 1-5 and 7). As such claims 1 and 15 are believed allowable over Schaefer. For at least the same reason that claims 1 and 15 are allowable over Schaefer, claims 2-13, which depend from claim 1, and claims 16-27, which depend from claim 15, are also believed allowable over Schaefer.

Claims 14 and 28

Claim 14 recites deploying a vaso-occlusive device in a manner allowing a portion of the vaso-occlusive device to substantially ... *form along a surface* of a vessel. Claim 28 recites a similar limitation. Schaefer does not disclose or suggest such limitation. Rather, Schaefer teaches deploying a vaso-occlusive device such that the device does not form along a surface of a vessel (see Figure 6). Particularly, Applicant notes that portions of the deployed device of Schaefer are deflected away from a surface of an aneurysm after making incidental contacts with the surface (Figure 6). As such, Schaefer does not disclose or suggest deploying a vaso-occlusive device such that a portion of the device substantially forms along a surface of a vessel. For the foregoing reason, claims 14 and 28 are believed allowable over Schaefer.

Kurtz

Applicant respectfully submits that claims 1-28 are also allowable over U.S. Patent No. 6,136,015 (Kurtz) for at least the reason that Kurtz does not disclose or suggest a vaso-occlusive device having a *serpentine shape*. "Serpentine" is defined as "sinuous" (see Webster's II New College Dictionary, ISBN 0-395-96214-5). According to the Office Action, the shapes in figures 1-3 of Kurtz are considered planar serpentine shapes. However, figures 1-3 of Kurz disclose vaso-occlusive devices that have loops at the ends and/or along the length of the devices. There is nothing in Kurz that discloses or suggests a vaso-occlusive device wherein at least a portion of it has a serpentine (i.e., sinuous) shape.

CONCLUSION

Based on the foregoing, all claims are believed allowable and a Notice of Allowance is respectfully requested. If, the Examiner has any questions or comments regarding this amendment, please contact the undersigned at the below-listed number.

Respectfully submitted,

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